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9 MICHAEL L. BUESGENS,  
10 Plaintiff,  
11 v.  
12 BEVERLY HART, et al.,  
13 Defendants

No. C-08-5710 MMC

**ORDER DENYING PLAINTIFF'S MOTION  
FOR JUDICIAL NOTICE**

14 /  
15 The Court is in receipt of plaintiff's "Motion for Judicial Notice of Adjudicative Facts  
16 Federal Rules of Evidence - Rule 201(d)," filed March 25, 2009, by which plaintiff requests  
17 the Court take judicial notice of three "facts" that allegedly pertain to an ongoing proceeding  
18 plaintiff instituted against the Equal Employment Opportunity Commission ("EEOC") before  
19 the United States Merit System Protection Board.

20 The motion is hereby DENIED, because the instant case is closed. Further, even  
21 assuming there is some type of controversy between plaintiff and the EEOC regarding one  
22 or more of the three "facts", this Court lacks jurisdiction to review such controversy in the  
23 context of the instant closed case.

24 **IT IS SO ORDERED.**

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26 Dated: March 27, 2009  
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MAXINE M. CHESNEY  
United States District Judge